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PROPOSED ATTORNEYS FOR DEBTOR

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**IN RE:**

**SUNRISE TRUCKING INC.,**

**Debtor.**

§  
§  
§  
§  
§

**CASE NO. 17-40860-btr**

**Chapter 11**

**MOTION TO REJECT EXECUTORY CONTRACT WITH  
MCKINNEY TRAILER RENTAL**

**NO HEARING WILL BE CONDUCTED ON THIS MOTION UNLESS A WRITTEN OBJECTION IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AND SERVED UPON THE PARTY FILING THIS PLEADING WITHIN TWENTY-ONE (21) DAYS FROM THE DATE OF SERVICE UNLESS THE COURT SHORTENS OR EXTENDS THE TIME FOR FILING SUCH OBJECTION. IF NO OBJECTION IS TIMELY SERVED AND FILED, THIS PLEADING SHALL BE DEEMED TO BE UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT. IF AN OBJECTION IS FILED AND SERVED IN A TIMELY MANNER, THE COURT WILL THEREAFTER SET A HEARING. IF YOU FAIL TO APPEAR AT ANY SCHEDULED HEARING, YOUR OBJECTION MAY BE STRICKEN. THE COURT RESERVES THE RIGHT TO SET A HEARING ON ANY MATTER.**

**TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:**

**COMES NOW** SunRise Trucking Inc. (“Debtor”), Debtor and Debtor-in-Possession in the above-styled and numbered case, and files this its *Motion to Reject Contract with McKinney*

*Trailer Rental* (the “Motion”) and in support of same would respectfully show the Court as follows:

1. Debtor filed its voluntary petition under Chapter 11, Title 11, of the United States Bankruptcy Code on April 27, 2017, in the United States Bankruptcy Court for the Eastern District of Texas, Sherman Division.
2. This Court has jurisdiction over this matter pursuant to 11 U.S.C. §§ 363(b) and (f) and 365(b) and f(2) and 28 U.S.C. §§ 1334 and 157. This is a core proceeding.
3. Prior to filing this case, Debtor began returning leased trailers to McKinney Trailer Rental but not all the trailers had been picked up when this case was filed.
4. Debtor now desires to reject its executory contract with McKinney Trailer Rental for the lease of nine (9) Swing AirRide Trailers and return the remaining trailers. A list of the trailers to be returned to McKinney Trailer Rental is attached hereto as Exhibit “A.”
5. The trailers are not necessary for an effective reorganization of the Debtor and Debtor requests that the Court enter an order allowing it to return the leased trailers.

**WHEREFORE, PREMISES CONSIDERED,** Debtor respectfully requests that the Court enter an Order granting this Motion, and for such other and further relief to which the Debtor may show itself justly entitled.

Dated: May 2, 2017.

Respectfully submitted,

/s/ Joyce W. Lindauer  
Joyce W. Lindauer  
State Bar No. 21555700  
Sarah M. Cox  
California State Bar No. 245475  
Jamie N. Kirk  
State Bar No. 24076485  
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on May 2, 2017, a true and correct copy of the foregoing Motion was served via United States first class mail, postage prepaid, upon the parties on the attached service list.

/s/ Joyce W. Lindauer  
Joyce W. Lindauer

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Unit_Num	Old #	Dept_Code	Date_Out	Date_in	Billing_Class	Description	Year	Make	Vin_Num	License_No.	State	Trailer_Use	Main_Yard
520285	3620	DAL-TR	05/09/2012			53 ft. Van 102 in. Swing AirRide	2005	Strick	1S12E95355E502542	7966KG	OK	Local	DALLAS
520384	3887	DAL-TR	04/24/2013			53 ft. Van 102 in. Swing AirRide	2007	Wabash	1JJV532W57L097934	8350LD	OK	Local	DALLAS
520379	3882	DAL-TR	05/31/2013			53 ft. Van 102 in. Swing AirRide	2007	Wabash	1JJV532W57L097819	8348LD	OK	Local	DALLAS
520410	3915	DAL-TR	08/07/2013			53 ft. Van 102 in. Swing AirRide	2007	Wabash	1JJV532W47L098279	7991KG	OK	Local	DALLAS
520620	4338	DAL-TR	08/12/2013			53 ft. Van 102 in. Swing AirRide	2014	Wabash	1JJV532D5EL797335	3411JZ	OK	Road	DALLAS
520616	4334	DAL-TR	08/12/2013			53 ft. Van 102 in. Swing AirRide	2014	Wabash	1JJV532D3EL797320	3415JZ	OK	Road	DALLAS
520617	4335	DAL-TR	08/12/2013			53 ft. Van 102 in. Swing AirRide	2014	Wabash	1JJV532D5EL797321	3414JZ	OK	Road	DALLAS
520619	4337	DAL-TR	08/12/2013			53 ft. Van 102 in. Swing AirRide	2014	Wabash	1JJV532DXEL797332	3412JZ	OK	Road	DALLAS
520136	1891	DAL-TR	01/29/2015			53 ft. Van 102 in. Swing AirRide	2005	Vanguard	5V8VA53255M500276	7362LG	OK	Local	DALLAS

**EXHIBIT "A"**

Label Matrix for local noticing 0540-4 Case 17-40860 Eastern District of Texas Sherman Mon May 1 11:59:19 CDT 2017	ABC/Amega 500 Seneca Street Ste 400 Buffalo, NY 14204-1963	Attorney General of Texas Bankruptcy Division PO Box 12548 Austin, TX 78711-2548
BMO P.O. Box 3040 Cedar Rapid, IA 52406-3040	BMO P.O. Box 3040 Cedar Rapids, IA 52406-3040	Eboney Cobb Perdue Brandon Fielder Collins & Mott 500 E. Border Street, Suite 640 Arlington, TX 76010-7457
(p)TEXAS COMPTROLLER OF PUBLIC ACCOUNTS REVENUE ACCOUNTING DIV - BANKRUPTCY SECTION PO BOX 13528 AUSTIN TX 78711-3528	Internal Revenue Service Centralized Insolvency PO Box 7346 Philadelphia, PA 19101-7346	Internal Revenue Service Mail Code DAL-5020 1100 Commerce Street Dallas, Texas 75242-1100
Joyce W. Lindauer 12720 Hillcrest Road Suite 625 Dallas, TX 75230-2163	Linebarger Goggan Blair & Sampson 2777 N. Stemmons Freeway Suite 1000 Dallas, TX 75207-2328	McKinney Trailer Rentals 2723 Carl Rd Irving, TX 75062-6440
Nets Trailer Leasing of Texas 902 W Oakdale Rd Grand Prairie, TX 75050-7308	Princeton ISD C/O PERDUE, BRANDON, FIELDER, ET AL 500 E. Border St. Ste. 640 Arlington, TX 76010-7457	Southern Tire Mart Dept 143 P.O. Box 1000 Memphis, TN 38148-0143
SunRise Trucking Inc. 8421 McKissick Meadows Rd. Princeton, TX 75407-2519	Texas Workforce Commission 101 East 15th Street Austin, TX 78778-0001	U. S. Attorney 110 N. College Ave. Suite 700 Tyler, TX 75702-0204
U. S. Trustee's Office 110 N. College Street Suite 300 Tyler, TX 75702-7231	U.S. Attorney General Department of Justice Main Justice Building 10th & Constitution Ave., NW Washington, DC 20530-0001	US Trustee Office of the U.S. Trustee 110 N. College Ave. Suite 300 Tyler, TX 75702-7231
United Rental 3515 Trailer Dr Charlotte, NC 28269-4401		

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

Comptroller of Public Accts	End of Label Matrix	
Rev Acctg Div/Bankruptcy Dept	Mailable recipients	21
PO BOX 13528	Bypassed recipients	0
Austin, TX 78711	Total	21